

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DISTRICT**

PFIZER INC.,)	
PFIZER IRELAND PHARMACEUTICALS,)	
WARNER-LAMBERT COMPANY, and)	
WARNER-LAMBERT COMPANY LLC,)	
)	Case No. 08 C 7231
Plaintiffs,)	
)	Consolidated for all purposes with
)	Case No. 09-cv-6053
v.)	
)	
APOTEX INC., and)	Judge: Robert M. Dow, Jr.
APOTEX CORP.,)	
Defendants.)	

**PLAINTIFF PFIZER'S MOTION TO DISMISS
DEFENDANT APOTEX'S COUNTERCLAIMS**

Pursuant to Fed. R. Civ. P. 12(b)(1), (b)(6) and for the reasons set forth in its previously-filed opening and reply memoranda (D.I. 56 and 79) and its accompanying supplemental memorandum, plaintiffs Pfizer Inc., Pfizer Ireland Pharmaceuticals, and Warner-Lambert Company LLC, formerly Warner-Lambert Company move to dismiss Defendants' counterclaims and its affirmative defenses of non-infringement and invalidity.

RESPECTFULLY SUBMITTED,

November 12, 2009

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Dated: November 12, 2009

CERTIFICATE OF SERVICE

I, Jeffrey M. Drake, caused to be served a copy of the foregoing:

PLAINTIFF PFIZER'S MOTION TO DISMISS
DEFENDANT APOTEX'S COUNTERCLAIMS

by filing same with the Clerk of the Court using the CM/ECF system which will send electronic notification of such filing to the following counsel of record:

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